

US District Court of Oregon

United States) Case no. 6:18-mj-236-MK
 v.)
 Todd Giffen) Motion for adversarial due process,
 and a real^{full} competency hearing

I have been denied Assistance of Counsel as the Sixth Amendment requires for all pretrial events. *Lafley v. Cooper* 182 LE020 398, 566 U.S. 156
 Right to confer with counsel any time before or during the trial. *Geelers v. US* 47 LE020 592, 425 US 80
 Right to notice, hearing, counsel prior to being transferred to mental hospital from prison. *Vitek v. Jones* 63 LE020 552, 445 US 480
 My counsel Lisa Ludwig was appointed April 12, but immediately showed lack of diligence and care for my case. Rather than worry about my safety, from harm, torture, Neuropsychological and Electronic No Touch Torture in custody, she claimed to have family from out of town so she could not visit me on the weekend. She was given Seth Farber's number but did not call him once at all. She failed to accept my Corlins request. She did download 6:18-cv-01846-MK but failed to take action regarding the allegations of intense in custody torture I was being inflicted with, corporal punishment, rape, and beatings. Her assistant told me she would visit me April 18, and she did but only gave me an hour and a half to brief her, when I needed 16 hours, and she walked out without finishing our conversation as visiting hours ended. I told her I needed evaluated by multiple doctors for my competency hearing and Seth wanted more than one as well, and I told her I already emailed Linnea her assistant the 98+ person list, containing 10+ psychiatrists, psychs, etc. Lisa admitted to getting emails from Seth Farber but she never called, emailed him, nor took action. The next day I called

her to address being raped, denied medical care, tortured, etc. telling her assistant Linnea I would sue them for vulnerable person abuse, as they were committing that against me. I called Lori at FPD's to report Lisa's abuse. Linna reported I should not send any more voicemails, emails, Corlinks as Lisa was handling other people's cases. Seth Farber, James Fry, Kelly Wallace tried to save me by repeatedly emailing Lisa for help, no one ever heard back. Seth sent 6 emails and spoke to Linnea, Linnea's response was to claim she didn't have permission to speak to Farber, when he told her I was being treated unjustly as I claimed. Linnea continued to tell me not to leave voicemails, Corlinks, etc. April 22 or 23 I called my private investigator Jennifer Maghinney in Salem who immediately called Linnea to be hired knowing I was being tortured and abused in custody. Linnea and me spoke and I told them of Jen's vast expertise for my type of case, and demanded she be hired. Linnea/Lisa refused to, and hired Maraed Watch a day later who lacked all training for my type of case or was a double agent and did similar abuses to Lisa, but she is wise, she just doesn't take action against my abuse, and never gave me the full 16 hours to brief her. Jen also knew a motion had to be filed over me not having a bail hearing prior to being detained and abuses done against me. Lisa showed in court on May 1 she was not familiar with my case, such as being denied a bail hearing, and being illegally detained. She also lied about not knowing I needed health care. I told her about that in voicemails left April 12th, 13th, 14th, and so did my friends. I told Linnea and Lori. All

my friends told her. Kelly Wallace also called Lori and Linnea about it April 19, recording the calls. James, Seth both sent damaging email about the governments abuse of me.

Many of Seth and James, Kelly's emails were printed and attached to the writ of Habeas Corpus but Lisa may have refused to file those if no exhibits were attached. ~~tralsa sent~~

I also sent Lisa a Chronology of events spanning my arrest abuses, in custody abuses ~~to~~ on April 18, to 21, long before the May 1 hearings, detailing my prior attorney's abuses and info on the docket, including ineffective assistance of counsel, denials of healthcare, psychologist abuse at Seatac, torture in custody, etc.

During this time ^{Apr 21, 13, 14} I also told Lisa about my setup, malicious prosecution, need for accommodations, defenses to ensure acquittal, special security issues, evidence spoiling and being deleted, need to ~~save~~ my websites from deletion as case evidence, etc.

May 1st Lisa denied knowing about my medical needs, not being provided full adversarial detention hearings where I was represented effectively and could call witnesses, etc. On May 1st Judge Mastata ordered my attorney to write the jail a letter on my medical issues, she still has not done it. Such letter would be ineffectual anyway as I wrote Sheridan, Seatac, others over 100 letters which can be subpoenaed. My doctors and friends spoke to the jail, who were corrupt, refused all medical tests, treatment, and exams, to cover up my condition, including Neuropsychological and Electronic No Touch Torture, NSA ESP targeting.

Lisa despite needing to prepare for the competency

hearing did not speak to Farber, my witnesses, or me once from May 1st to May 17. Instead she sent Maraet who seemed to do some abuse to me. Maraet had also used my witness list sent over Cordlinks to generate the first version of the Vst of 98 people handed to the US attorney May 1. Maraet met me for the first time May 3rd, coming to Sheridan and visiting for 50 minutes. I told her I needed 8+ hours to brief her, she didn't come visit me on weekends, waiting till May 8th to visit again and only for 2 hours. Rather than hire my physician experts, she attempted to subvert mine and hire her own who would not be expert on my case or familiar with the topics of my case, ie NSA ESP, or they would be military/CIA and cover it up. She had not contacted major witnesses by May 10, and I could not figure out what work she'd accomplished on my case. I fully briefed her on NSA ESP, remote view, it was not helping her at all pick up any pace. She spoke to minor witnesses like Seth Farber. She didn't speak to Peter Breggin MD until May 13, who offered to evaluate me as an NSA ESP victim for \$825 an hour but he could not do it for the May 23 hearing due to lack of notice. She waited till May 13 to kill my chance to be fully evaluated by an expert in Military Mind Control. She never contacted Dr. Colin Ross MD another military mind control expert. Dr. Seth Farber was never paid or flown out to fully evaluate me. My intent was to prove I had no mental illness, and was subject to conspiracy the US DoJ was trying to cover up, including by making me ill with NSA ESP, under cover informant stalkers and having their doctors,

Cynthia how cover up my injuries, TBI, soft tissue damage as schizophrenia, so the US attorney and my counsel could win a 4 month civil commitment. My attorney's have agreed to let the US attorney win, and won't contest my abuse, seemingly deliberately putting up road blocks to hire my experts, obtain independent evaluations by experts, or investigate my abuse, etc. Dr. Robert Duncan AB SM MBA PhD wrote to Maraeel I was indeed the governments property, and only a FISA court hearing could save me from these national security state abuses. Maraeel, Lisa still didn't take proper action after getting that email. Duncan confirmed I was really being irradiated with telekinetic, NSA ESP, having voices beamed into my head, soft tissue damaged, electronically raped, etc. And she didn't take action day one? Maraeel at one point seemed to raise her middle finger to her glasses so I could see her flipping me off, and ^{have} admitted to having NSA ESP herself when I was telling her a story of Ernest Hemingway being targeted for decades by the FBI, ~~but~~ when I thought about mentioning the FBI's claims of Hemingway's ties to Cuba as reason for targeting him, she said "wasn't Hemingway targeted over his ties to Cuba?" If she was remote viewing me, she would of received my thoughts to tell her that. This would mean Maraeel was "none official cover." The public defense is entirely US DoD, military controlled, its loaded with informants, ~~spies~~, undercovers. This is why my now 140+ witness list should not be strayed from, and my attorney should not be allowed to pick and choose who testifies as it to prevent damaging information from being spoken about at my hearings, truly exhausting me.

Lisa has not consulted me to see my craft, artistic side, and story telling ability which I can only do with my precise witnesses, not alternatives, many are personally aware of me, we have crooked together, many know the precise topic of Military Mind Control, NSA ESP, CIA abuses, government corruption, etc.

US v. Guerrero 693 F.3d 990

"A competency hearing is more akin to a criminal trial or preliminary hearing having strong trial rights... it's a critical part of the criminal process... an adversarial process..."

Lisa's behavior is not consistent with an attorney acting on my behalf or providing assistance of counsel. She is not treating my ^{detention} ~~arrest~~ competency matter, or criminal trial, safety, healthcare, protection, nothing right.

If she was crooked with me and my legal team, I would of been evaluated by my own doctors, protection motions filed, detention hearings filed for, and more.

She would have noticed I'm an anti-psychiatry "psychiatric torture survivor" and have friends who want to take shots at this competency hearing such as by filing for jury trial, moving to suppress Cynthia Low's report, etc.

As I have not been allowed a chance to be evaluated by my own doctors and no experts briefed or allowed to investigate these matters for such a critical part of the criminal process, and I need fully defended to protect myself from civil commitment, I require the court to do the following: Cynthia Low's report should be suppressed and I should be evaluated by Dr Peter Breggin MD, Dr. Colin Ross MD, Ron Unger LCSW, Dr. Seth Farber PhD, Dr. Purna C Datta PhD, Dr. Misty Gettrich PhD, Dr. Toby Watson PhD, Cathy Meadows MA,

Dr. Jessica Arenella PhD, Dr. Lauren Tenney PhD ~~PHD~~ MPH, Dr. Gotzche, Dr. Grace E Jackson, Robert Whitaker, my own private chiropractor and naturopath, an expert in radiation and electromagnetic frequency exposure, a neurologist ie Radical Neurologist, Roger Toker, Jennifer Mashiney, to attempt detection of parakinesis assaults and mind control, Stefan Harold my personal neurologist, and others. Two EMF doctors were on the list, Dr. Martin Pall PhD, and Dr. Paul Dant MD. Any other doctors/experts on my 140+ list.

I should be released from custody to do these evaluation and get medical exams and treatment which BOP will not do for me in custody, and has refused for 6 months now.

Due to my attorney's abuse we should consider her replacement given she just wasted nearly 40 days of my time not getting these exams and consults done. She also did vulnerable person abuse, ORS 124.100.

The competency hearing will be rescheduled to accommodate me in building my case, and obtaining these evals.

If necessary we can ~~conduct~~ immediately hold a detention hearing with several of my witnesses present to confirm this is necessary, ie Dr. Seth Farber, and others who can confirm details of my abuse from my witness list, ie Derrick Robinson, William Binney, James Fry, Kelly Wallace, Daniel Burdick, my grandfather, Ramola D, David Porter, Dr. Robert Duncan, Wayne Ramsey JD, Jim Gottstein JD, etc. ie Seth will say absolutely we need Peter Braggini and others to eval me, confirm my plight, that I'm not dangerous, mentally ill, flight risk, etc.

Oregon calls this "Program 370."

* Oregon allows citizens ruled incompetent to be released to the community for treatment for example, by their own doctors.

Seth will confirm he has not been afforded a chance to eval me, do his own report, etc - ~~but is otherwise~~ despite him fully backing me and having very damaging things to say. He would like a chance to come and see me, and do it right.

This isn't supposed to be so one sided is it?

Note my NSA remote view / FSP brain scans and holotogs need ~~subpoena~~

Todd Diffin
5/16/19

subpoena'd as do other classified files held on the government targeting me. Proves my innocents.

Todd Gitten

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My brain and bodily injuries have gotten worse, untreated in custody. Ideally me and my witnesses could gather and talk pre hearing, in a room, or otherwise collaborate.

Seth fully backs me we are trying to discredit the Cynthia Low report by proving its a fraud, a lie to cover up my abuse by the BOP, US DoJ, military, and have been exposed to a real government torture, mind control program - I have no mental illness, Cynthia Low covered up my real abuse as mental illness. Therefore, I don't meet the first prong for civil commitment, mental disease or defect.

* We also want 18 USC 4241 ruled unconstitutional because it does not offer an injured person the option of community treatment in a non-US DoJ controlled ~~facility~~ ^{fashion} due to conflicts of interest and abuse by the US DoJ, and the statute does not require a finding of dangerousness as O'Connor v. Donaldson SCOTUS case law requires, prior to allowing even a mentally ill person to be committed.